

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

ALLIANCE FOR HIPPOCRATIC	)	
MEDICINE, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	Case No. 2:22-cv-00223-Z
v.	)	
	)	
U.S. FOOD AND DRUG	)	
ADMINISTRATION, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**UNOPPOSED MOTION OF FAMILY RESEARCH COUNCIL  
FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF**

Non-party Family Research Council (“FRC”), through undersigned counsel and pursuant to Fed. R. Civ. P. 7 and N.D. Texas LR 7.2(b), files this motion seeking leave of this Court to file the attached brief as *amicus curiae* in support of the Complaint (ECF 1) and pending motion for preliminary injunction (ECF 6) filed by Plaintiffs Alliance for Hippocratic Medicine, *et al.*<sup>1</sup> In support, Proposed *Amicus* FRC states:

1. Proposed *Amicus* FRC is a Washington, D.C.-based nonprofit research and educational organization that seeks to advance faith, family, and freedom in public policy from a biblical worldview. FRC recognizes and

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<sup>1</sup> No party’s counsel authored the proposed *amicus* brief in whole or in part, no party or party’s counsel contributed money that was intended to fund the brief’s preparation or submission, and no person other than *amicus* FRC, its members or its counsel contributed money that was intended to fund its preparation or submission. Fed. R. App. P. 29(E).

respects the inherent dignity of every human life from conception until death and believes that the life of every human being is an intrinsic good, not something whose value is conditional upon its usefulness to others or to the state. FRC also recognizes the inherent dignity of every woman and thus supports proper medical ethics and standards aimed at protecting the health and well-being of women. FRC fully supports and concurs in the claims brought by Plaintiffs in this action, seeking to enjoin the various unlawful actions of Defendant FDA and others, as detailed in the Complaint and Motion for Preliminary Injunction.

2. Proposed *Amicus* FRC has prepared an *amicus curiae* brief it believes will assist this Court in resolving the issues this case raises. FRC's brief discusses the circumstances by which the Clinton Administration exerted undue political pressure both to force the holders of the patent rights to mifepristone (RU-486) to transfer them away, and to signal the FDA its approval was expected. Accordingly, FRC requests that this Court grant FRC leave to file its *amicus* brief and accept the brief for filing.

3. Certificate of Conference: In their Joint Motion to Extend Deadlines and Set Briefing Schedule, ECF 12, Plaintiffs and Defendants stipulated that they would not oppose the filing of *amicus* briefs, and that *amici* need not seek the parties' consent before petitioning this Court for leave to file. Accordingly, *Amicus* has dispensed with the conference required by LR 7.1.

4. A proposed order is attached.

WHEREFORE, prospective *Amicus Curiae* Family Research Council requests that the Court grant it leave to file a brief *Amicus Curiae* and accept for filing the brief being tendered with this motion.

Respectfully submitted,

THE SMITH APPELLATE LAW FIRM

/s/ Michael F. Smith

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\*Application for admission *pro hac vice* pending

Dated: February 10, 2023